

YEAS—20.		
Atlee,	Harrison,	Seale,
Clemens,	Ingram,	Simkins,
Craue,	Kearby,	Sims,
Cranford,	Lubbock,	Stephens,
Finch,	Maetze,	Tyler,
Frank,	Pope,	Weisiger,
Garwood,	Potter,	
NAYS—1.		
Johnson.		

Senator Tyler moved to postpone pending business and take up Senate bill No. 284 and substitute for it House bill No. 490.

Withdrawn.

Senate bill No. 313, entitled "An act for the relief of Wiley Thompson, C. Cannon, H. M. Jarrett, J. M. Brown, W. A. D. Armstrong, Frank Templeton and E. C. Dickinson from pecuniary liability on the official bond of William Neal Ramey as assistant superintendent of the Texas state penitentiary at Rusk."

Taken up in regular order and read second time with a favorable committee report.

House bill No. 490, entitled "An act to validate the sale of section 82, block H, state school lands, situated in Hardeman county, located by virtue of certificate No. 1-41, issued to the Waco and Northwestern Railroad company, made by the state land board to P. E. Holmes on May 28, 1885, under an act of April 12, 1883, and to authorize patent to issue therefor in favor of L. H. Davis as assignee upon payment of balance due the state on said sale."

Read first time and referred to committee on Public Lands.

Senator Simkins offered the following resolution:

Resolved that whereas there is no rule regulating the proceedings of the Senate in relation to senators brought in under the call of the Senate, and whereas it is the sense of this Senate that no rule of congress or any other parliamentary body except this Senate shall be invoked in reference to the conduct or action of any senator and to the end that there shall be some rule upon the question, be it resolved that hereafter when a senator is brought in under a call of the Senate he shall go to his seat and shall there be called upon by the president to render an excuse and thereupon if an excuse be made the Senate shall accept or reject such excuse by a majority vote, and the action of the Senate or in case of a refusal to make excuse, such refusal shall be entered upon the journal and no further action shall be taken in the premises.

Which was ordered to lie over one day.

The Senate refused to engross Senate bill No. 313.

Senator Cranford moved to reconsider the vote by which the Senate refused engrossment to Senate bill No. 313, and asked to have that motion spread upon the Journal.

On motion of Senator Maetze the Senate adjourned to 10 a. m. Monday.

FORTY FIRST DAY.

SENATE CHAMBER.

Austin, March 2, 1891.

The Senate met pursuant to adjournment.

Lieutenant Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—25.

Atlee,	Garwood,	Pope,
Burney,	Glascock,	Potter,
Clark,	Harrison,	Seale,
Clemens,	Johnson,	Simkins,
Craue,	Kearby,	Stephens,
Cranford,	Lubbock,	Townsend,
Finch,	Maetze,	Tyler,
Frank,	Page,	Weisiger,
		Whatley.

ABSENT—5.

Carter,	Kimbrough,	Sims.
Ingram,	McKinney,	

Prayer by the chaplain, Dr. Smoot.

Senator Pope presented the credentials of the senator from Kerr (Senator Burney) and moved that he be sworn in.

Adopted

And Senator Burney took the oath prescribed by the constitution.

Pending the reading of the Journal on motion of Senator Lubbock further reading of the same was dispensed with.

On motion of Senator Garwood Senator Ingram was excused indefinitely on account of sickness.

On motion of Senator Clark, Senator Carter was excused for today on account of important business.

On motion of Senator Simkins, Senator Sims was excused indefinitely on account of important business.

On motion of Senator Whatley, Senator McKinney was excused for today on account of important business.

PETITIONS AND MEMORIALS.

By Senator Weisiger.

Memorial of J. J. Jones, asking for right to sue the State for services performed by his father as district judge. Read first time and referred to committee on state affairs.

By Senator Stephens.

Petition of citizens of Greer county, Texas requesting the passage of a law to grant land titles in Greer county, and to extend the homestead laws so as to include all of the land in Greer county, and to give the actual settler thereon the right to hold the same thereunder.

Read first time and referred to committee on Public Lands.

By Senator Stephens:

Memorial from D. B. Britt and other citizens of Vernon, Wilbarger county, protesting against diminishing the civil and criminal jurisdiction of the county court of Wilbarger county.

Read first time and referred to committee on Judicial Districts.

By Senator Burney:

Protest of citizens of Tom Green county against the creation of the county of Sterling.

Ordered to lie on the table subject to call.

Senator Finch moved to reconsider the vote by which House bill No. 307 was finally passed and asked to have that motion spread upon the journal.

Senator Finch moved to request the House to return House bill No. 307 to the Senate, a motion having been made to reconsider the vote by which it was finally passed in the Senate.

Adopted.

The following reports were handed in from their respective committees.

COMMITTEE ROOM,

Austin, February 25, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Counties and County Boundaries to whom was referred S. B. No. 301, being "an act to amend Article 672, Chapter 2, Title 22, of the revised civil statutes of the State of Texas and to add thereto article 6920.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

STEPHENS, Chairman.

COMMITTEE ROOM,

Austin, February 28, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—Your committee on Public Lands, to whom was referred

House bill No. 490, being "An act to validate the sale of section 82, block H, State school lands, situated in Hardeman county, located by virtue of certificate No. 141, issued to the Waco and Northwestern Railway company, made by the State land board to P. E. Holmes, on May 28, 1885, under an act of April 12, 1883, and to authorize patent to issue therefor in favor of L. H. Davis as assignee upon payment of balance due the State on said sale."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

SIMS, Chairman.

COMMITTEE ROOM,

AUSTIN, February 28, 1891.

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Public Health, to whom was referred

House bill No. 274, being "An act to create a board of medical censors and to regulate the practice of medicine in the State of Texas, and to repeal articles 3625, 3626, 3627, 3628, 3629, 3630, 3631, 3632, 3633, 3634, 3635, 3636, 3637 and 3638, of the revised civil statutes of the State of Texas."

Have had the same under consideration, and I am instructed to report the same back to the House with the recommendation that it be considered in connection with Senate bill No. 264.

ATLEE, Chairman.

BILLS AND RESOLUTIONS.

By Senator Stephens:

An act to authorize the commissioner of the general land office to issue patents to lands in Terry and Yoakum counties located by virtue of John H. Gibson land certificates, and to protect, set apart, and sell the State school lands located by virtue of said certificate.

Read first time and referred to committee on Public Lands.

By Senator Crane:

A bill to be entitled "An act to establish an agricultural and mechanical college in Texas north of 31 1/2 degrees north latitude and making appropriation therefor, said college to be located on what is known as black waxey soil.

Read first time and referred to committee on Education.

Senator Townsend moved to suspend pending business for the purpose of acting upon House and Senate bills on third reading.

Senator Pope moved to adjourn 'till 10 a. m. to-morrow in honor of the anniversary of Texas Independence. Adopted by the following vote:

YEAS—15.

Atlee,	Garwood,	Pope,
Burney,	Harrison,	Seale,
Cranford,	Kearby,	Townsend,
Clark,	Lubbock,	Tyler,
Glasscock,	Maetze,	Johnson.

NAYS—10.

Clemens,	Finch,	Stephens,
Crane,	Page,	Simkins,
Frank,	Potter,	Weisiger,
		Whatley.

FORTY-SECOND DAY.

AUSTIN, March 3, 1891.

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair

Roll called; quorum present, the following Senators answering to their names:

PRESENT—26.

Atlee,	Glasscock,	Potter,
Burney,	Harrison,	Seale,
Clark,	Kearby,	Simkins,
Clemens,	Kimbrough,	Stephens,
Crane,	Lubbock,	Townsend,
Cranford,	Maetze,	Tyler,
Finch,	McKinney,	Weisiger,
Frank,	Mott,	Whatley.
Garwood,	Page,	

ABSENT—5.

Carter,	Johnson,	Sims.
Ingram,	Pope,	

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal, on motion of Senator Glasscock, the further reading of the same was dispensed with.

The following message was received from the House:

HOUSE OF REPRESENTATIVES.

Austin, March 3, 1891.

Hon. George C. Pendleton, President of the Senate:

Sir—I am instructed to herewith return to the Senate House Bill No. 307, creating the county of Sterling, as requested by resolution of the Senate March 2, 1891.

Respectfully,

SAM H. DIXON,

Chief Clerk House of Representatives.

On motion of Senator Potter, Senator Clark was excused for non-attendance on Saturday last, he being absent on committee duty.

On motion of Senator Glasscock, Senator Kimbrough was excused for Saturday and Monday, he being absent on committee duty.

On motion of Senator Cranford, Senator Johnson was excused until

next Friday on account of important business.

PETITIONS AND MEMORIALS.

By Senator Cranford:

Three separate petitions from citizens of Hunt county, against the "Wilson Fellow servant bill."

Read first time and referred to Judiciary committee No. 1.

By Senator Harrison:

A petition from citizens of McLennan county asking that article 682, chapter 2, title 17 of revised penal code be so amended as to protect peacans grown on enclosed lauds.

Read first time and referred to Judiciary committee No. 2.

By Senator Harrison:

A statement showing the population of Texas by counties as determined by the official count of the returns made under the eleventh census.

Read first time and referred to committee on Apportionment and representation.

On motion of Senator Harrison the official statement of the population of the state by counties was ordered to be spread upon the Journal, and is as follows:

[See page 295.]

Senator Finch asked, and obtained unanimous consent to withdraw his motion made yesterday, to reconsider the vote by which House bill No. 307 was finally passed.

Senator Tyler moved that 500 extra copies of today's Journal be printed.

Lost.

By Senator Stephens:

Petition of citizens of Wilbarger county, protesting against diminishing the jurisdiction of the county court of that county.

Read first time and referred to committee on Judicial Districts.

On motion of Senator Tyler the following bill was ordered to be spread upon the Journal of today.

A bill to be entitled "An act to apportion the State of Texas into congressional districts under the census of 1890."

Section 1. Be it enacted by the Legislature of the State of Texas, that until otherwise provided by the law, the State of Texas shall be apportioned into the following congressional districts, each of which shall be entitled to elect one member to the congress of the United States.

Section 2. The following counties shall compose the first district, to-wit.: Grimes, Waller, Montgomery, San Jacinto, Tyler, Jasper, Newton,